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5. (Amended) The surface covering of claim 1, wherein said aluminum oxide is present in an amount of about 1% by weight to about 29% by weight.

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7⁸. (Amended) The surface covering of claim 1, wherein said aluminum oxide has an average particle size of about 25 to about 35 microns.

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12¹⁴. (Amended) A method to improve wear and/or stain resistance of a resilient surface covering having a resistant layer, comprising adding up to about 40% by weight of aluminum oxide to a radiation or electron beam curable urethane based acrylate layer, said layer constituting the outermost layer of the resilient surface covering, wherein said aluminum oxide has an average particle size of about 10 to about 70 microns.

13¹⁵. (Amended) The method of claim 12¹⁴, comprising adding aluminum oxide in an amount ranging from about 1% by weight to about 29% by weight of the layer containing said aluminum oxide.

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16²⁰. (Amended) The method of claim 12¹⁴, wherein said aluminum oxide has an average particle size of about 25 to about 35 microns.

17²¹. (Amended) A method of making a resilient surface covering having



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improved wear and/or stain resistance comprising forming a layer comprising a radiation or electron beam curable urethane based acrylate and containing aluminum oxide, wherein said aluminum oxide has an average particle size of about 10 to about 70 microns and is present in an amount up to and including about 40% by weight of said wear layer containing said aluminum oxide.

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~~22~~²⁴. (Amended) The method of claim ~~21~~¹⁹, wherein said aluminum oxide is present in an amount of about 1% by weight to about 29% by weight of said wear layer.

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~~27~~²⁸. (Amended) The method of claim ~~21~~¹⁹ wherein said aluminum oxide has an average particle size of about 25 to about 35 microns.

[Please add the following new claims:

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~~28~~²⁹-30. The surface covering according to claim 1, wherein said wear layer further contains quartz, silica, glass, a plastic, a polymeric or an organic material.

~~29~~³¹. A resilient surface covering having improved wear and/or stain resistance comprising a wear layer, said wear layer comprising urethane based acrylate and aluminum oxide, wherein said aluminum oxide is present in an amount up to and including about 29% by weight of said wear layer.

³⁰
~~32~~. The surface covering of claim ²⁹~~31~~, wherein said aluminum oxide is present in an amount of about 1% by weight to about 15% by weight of said wear layer.

³¹
~~33~~. The surface covering of claim ²⁹~~31~~, wherein said aluminum oxide has an average particle size of about 10 to about 70 microns.

³²
~~34~~. The surface covering of claim ³¹~~33~~, wherein said aluminum oxide has an average particle size of about 25 to about 35 microns.

³³
~~35~~. The surface covering according to claim ²⁹~~31~~, wherein said wear layer further contains quartz, silica, glass, a plastic, a polymeric or an organic material.

³⁴
~~36~~. The surface covering according to claim ²⁹~~31~~, wherein said urethane based acrylate is radiation or electron beam curable.

³⁵
~~37~~. A floor covering having improved wear and/or stain resistance comprising a wear layer, said wear layer comprising a urethane based acrylate and aluminum oxide, wherein said aluminum oxide has an average particle size of about 10 to about 70 microns and is present in an amount up to and including about 29% by weight of said wear layer.

³⁶
~~38.~~ The floor covering of claim ³⁵~~37~~, wherein said aluminum oxide is present in an amount of about 1% by weight to about 15% by weight of said wear layer.

³⁷
~~39.~~ The floor covering of claim ³⁵~~37~~, wherein said aluminum oxide has an average particle size of about 25 to about 35 microns.

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³⁸
~~40.~~ The floor covering according to claim ³⁵~~37~~, wherein said wear layer further contains quartz, silica, glass, a plastic, a polymeric or an organic material.

³⁹
~~41.~~ The floor covering according to claim ³⁵~~37~~, wherein said urethane based acrylate is radiation or electron beam curable.

⁴⁰
~~42.~~ The floor covering of claim ³⁵~~37~~, wherein said wear layer includes a bottom coat layer and a top coat layer or an outermost layer and wherein said top coat layer or outermost layer contains said urethane based acrylate containing said aluminum oxide.

⁴¹
~~43.~~ The floor covering of claim ⁴⁰~~42~~, wherein said bottom coat layer comprises polyvinylchloride.

⁴²
~~44.~~ The floor covering of claim ³⁵~~37~~, wherein said aluminum oxide is calcined or fused aluminum oxide.

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45.

A floor covering comprising a wear layer, said wear layer comprising a radiation or electron beam curable urethane based acrylate and aluminum oxide, wherein said aluminum oxide has an average particle size of about 10 to about 70 microns, and is present in an amount sufficient to improve wear and/or stain resistance.

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46.

The floor covering of claim 43, wherein said aluminum oxide is present in of about 1% by weight to about 40% by weight of said wear layer.

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47.

The floor covering of claim 43, wherein said aluminum oxide is present in of about 1% by weight to about 29% by weight of said wear layer.

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48.

The floor covering of claim 43, wherein said aluminum oxide has an average particle size of about 25 to about 35 microns.

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49.

The floor covering according to claim 43, wherein said wear layer further contains quartz, silica, glass, a plastic, a polymeric or an organic material.

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50.

The floor covering of claim 43, wherein said wear layer includes a bottom coat layer and a top coat layer or an outermost layer and wherein said top coat layer or said outermost layer contains said urethane based acrylate containing said aluminum oxide.

⁴⁹
~~51.~~ The floor covering of claim ⁴⁸~~50~~, wherein said bottom coat layer comprises polyvinylchloride.

⁵⁰
~~52.~~ The floor covering of claim ⁴³~~45~~, wherein said aluminum oxide is calcined or fused aluminum oxide.

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⁵¹
~~53.~~ A floor covering having improved wear and/or stain resistance comprising a wear layer that includes a bottom coat layer comprising polyvinylchloride, and a top coat layer or an outermost layer comprising a radiation or electron beam curable urethane based acrylate and calcined or fused aluminum oxide,

wherein said aluminum oxide has an average particle size of about 10 microns to about 70 microns and is present in an amount up to and including about 40% by weight of said wear layer.

⁵²
~~54.~~ A method to improve wear and/or stain resistance of a floor covering having a resistant layer, comprising adding up to 29% by weight of aluminum oxide to a formulation of a urethane based acrylate and forming said resistant layer from the aluminum oxide containing formulation, wherein said aluminum oxide has an average particle size of about 10 to about 70 microns.

⁵³
~~55.~~ The method of claim ⁵²~~54~~, wherein said urethane based acrylate is radiation

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or electron beam curable.

⁵⁴
~~56.~~ The method of claim ⁵²~~54~~, wherein said aluminum oxide is added to said top coat layer after said top coat layer is formed and while said top coat layer is uncured.

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⁵⁵
~~57.~~ The method of claim ⁵²~~54~~, wherein said floor covering comprises a bottom coat layer comprising polyvinylchloride in addition to said urethane based acrylate top coat layer.

⁵⁶
~~58.~~ The method of claim ⁵⁷~~57~~, wherein said bottom coat layer further comprises aluminum oxide.

⁵⁷
~~59.~~ The method of claim ⁵²~~54~~, wherein said aluminum oxide has an average particle size of from about 25 to about 35 microns.